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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, WILLIAM BYATT,  
JEREMY DAVIS, CHRISTOPHER  
CASTILLO, and MONIQUE TRUJILLO,  
individually and on behalf of themselves and  
all others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF JONATHAN TSE IN  
SUPPORT OF PLAINTIFFS'  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER PORTIONS OF  
PLAINTIFFS' REPLY IN SUPPORT OF  
THEIR SUPPLEMENTAL SANCTIONS  
BRIEF PURSUANT TO DKT. 624**

Judge: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney at Quinn Emanuel  
3 Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action. I make  
4 this declaration of my own personal, firsthand knowledge, and if called and sworn as a witness, I  
5 could and would testify competently thereto.

6 2. I am making this declaration pursuant to Civil Local Rule 79-5(e)-(f) as an attorney  
7 for Google as the Designating Party, pursuant to Civil Local Rule 79-5(f)(3) in response to Dkt.  
8 707.

9 3. On August 25, 2022, Plaintiffs filed their Administrative Motion to Consider  
10 Whether Google’s Materials Should Be Sealed regarding Plaintiffs’ Reply in Support of their  
11 Supplemental Sanctions Brief Pursuant to Dkt. 624 (“Reply”).

12 4. I have reviewed the documents that Plaintiffs seek to file under seal pursuant to Civil  
13 Local Rule 79-5. Based on my review, there is good cause to seal the following information:

Document	Basis for Sealing
Plaintiffs’ Reply in Support of their Supplemental Sanctions Brief Pursuant to Dkt. 624  Pages: 1:26, 2:6, 2:22, 2:24-25, 3:1-4, 3:9, 3:23-24, 4:23	The information requested to be sealed contains Google’s highly confidential and proprietary information regarding highly sensitive features of Google’s internal systems and operations, including various types of Google’s internal logs, and their proprietary functionalities, that Google maintains as confidential in the ordinary course of its business and is not generally known to the public or Google’s competitors. Such confidential and proprietary information reveals Google’s internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google’s competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google’s internal practices relating to competing products.
Exhibit B to Mao Declaration – GOOG-BRWN-00857642  Seal Entirely	The information requested to be sealed contains privileged communications. Google gave notice to Plaintiffs of the inadvertently produced document subject to privilege on August 26, 2022. The document containing this information is currently the subject of Plaintiffs’ Administrative Motion

1		for Relief for Documents Improperly Withheld as Privileged (Dkt. 718).
2		The information requested to be sealed also contains
3		Google's highly confidential and proprietary information
4		regarding highly sensitive features of Google's internal
5		systems and operations, including various types of Google's
6		internal projects, and their proprietary functionalities, that
7		Google maintains as confidential in the ordinary course of
8		its business and is not generally known to the public or
9		Google's competitors. Such confidential and proprietary
10		information reveals Google's internal strategies, system
11		designs, and business practices for operating and
12		maintaining many of its important services, and falls within
13		the protected scope of the Protective Order entered in this
14	Exhibit C to Mao Declaration -	action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such
15	GOOG-CABR-00546609	confidential and proprietary information could affect
16	Seal Entirely	Google's competitive standing as competitors may alter
17		their systems and practices relating to competing products.
18		It may also place Google at an increased risk of
19		cybersecurity threats, as third parties may seek to use the
20		information to compromise Google's internal practices
21		relating to competing products.
22		The information requested to be sealed contains Google's
23		highly confidential and proprietary information regarding
24		highly sensitive features of Google's internal systems and
25	Exhibit D to Mao Declaration -	operations, including various types of Google's internal
26	GOOG-CABR-04087253	projects, and their proprietary functionalities, as well as
27	Seal Entirely	internal metrics, that Google maintains as confidential in the
28		ordinary course of its business and is not generally known
		to the public or Google's competitors. Such confidential and
		proprietary information reveals Google's internal strategies,
		system designs, and business practices for operating and
		maintaining many of its important services, and falls within
		the protected scope of the Protective Order entered in this
		action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such
		confidential and proprietary information could affect
		Google's competitive standing as competitors may alter
		their systems and practices relating to competing products.
		It may also place Google at an increased risk of
		cybersecurity threats, as third parties may seek to use the
		information to compromise Google's internal practices
		relating to competing products.

	business and is not generally known to the public or Google's competitors. Such confidential and proprietary information reveals Google's internal strategies, system designs, and business practices for operating and maintaining many of its important services, and falls within the protected scope of the Protective Order entered in this action. <i>See</i> Dkt. 81 at 2-3. Public disclosure of such confidential and proprietary information could affect Google's competitive standing as competitors may alter their systems and practices relating to competing products. It may also place Google at an increased risk of cybersecurity threats, as third parties may seek to use the information to compromise Google's internal practices relating to competing products.
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5. Google's request is narrowly tailored in order to protect its confidential information and privileged communications. These redactions are limited in scope and volume. Because the proposed redactions are narrowly tailored and limited to portions containing Google's privileged, highly-confidential, or confidential information, Google requests that the portions of the aforementioned documents be redacted from any public version of those documents.

6. Google does not seek to redact or file under seal any of the remaining portions of documents not indicated in the table above.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed in San Francisco, California on September 1, 2022.

DATED: September 1, 2022

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By           /s/ Jonathan Tse          

Jonathan Tse

*Attorney for Defendant*